

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

Court Minutes

DATE: May 18, 2021  
JUDGE: Pamela Pepper  
CASE NO: 2020-cv-775  
CASE NAME: James Hulce v. Lustre-Cal Corporation  
NATURE OF HEARING: Motion Hearing  
APPEARANCES: Anthony Paronich – Attorney for the plaintiff  
Avi Kaufman – Attorney for the plaintiff  
John Ryan – Attorney for the defendant  
COURTROOM DEPUTY: Kristine Wrobel  
TIME: 1:34 p.m. – 2:04 p.m.

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**AUDIO OF THIS HEARING AT DKT. NO. 21**

The court had scheduled this hearing on the defendant's motion to dismiss the complaint. Dkt. No. 12. The court advised the parties that it had read the briefs but gave the parties the opportunity to highlight any issues they thought particularly important. After hearing from the parties, the court explained that it had a written decision that it hoped to issue shortly. The court talked the parties through the ruling. It gave the parties the opportunity to weigh in on dates for the plaintiff to file an amended complaint and for the parties to file simultaneous briefs on whether Amerifactors and Ryerson are binding on this court; the court will include those dates in the written order. The plaintiff asked about procedures for preserving discovery in the possession of the third-party vendors. The court ordered the parties to meet and confer and discuss how to assure that the third-party vendor preserved the discovery. If the parties cannot agree, they may seek the court's assistance.